

No. 6
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Wednesday, February 3, 1999.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Dick Posthumus.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Bennett—present
Bullard—present
Byrum—present
Cherry—present
DeBeaussaert—present
DeGrow—present
Dingell—present
Dunaskiss—present
Emerson—present
Emmons—present
Gast—present
Goschka—present
Gougeon—present

Hammerstrom—present
Hart—present
Hoffman—present
Jaye—present
Koivisto—present
Leland—present
McCotter—present
McManus—present
Miller—present
Murphy—present
North—present
Peters—present

Rogers—present
Schuette—present
Schwarz—present
Shugars—present
Sikkema—present
A. Smith—present
V. Smith—present
Steil—present
Stille—present
Van Regenmorter—present
Vaughn—present
Young—present

Senator Philip E. Hoffman of the 19th District offered the following invocation:

Lord, I'd ask today that You would bless the members of this legislative body as we debate the important issues of the day. In Your name we pray. Amen.

Motions and Communications

Senators Dunaskiss, A. Smith, Leland, Dingell and Vaughn entered the Senate Chamber.

Senator Rogers moved that Senators Bullard, Jaye and Schwarz be temporarily excused from today's session. The motion prevailed.

The following communications were received:

Department of State

Administrative Rules Notices of Filing

January 6, 1999

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 9:54 a.m. this date, administrative rule (99-01-1) for the Department of Consumer and Industry Services, Director's Office, entitled "*Michigan Uniform Energy Code*," effective 15 days hereafter.

January 15, 1999

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:18 p.m. this date, administrative rule (99-01-4) for the Department of Consumer and Industry Services, Director's Office, entitled "*Construction Safety Standards*," effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Helen Kruger, Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:

Office of Drug Control Policy

January 14, 1999

I am pleased to transmit the third year update to the Michigan Drug Strategy. This update is being submitted as part of the Byrne Memorial Formula Grant Application from the Office of Drug Control Policy to the U.S. Department of Justice, Bureau of Justice Assistance for the drug enforcement grant program. I have included the front page of the application which was forwarded to you on December 18, 1998.

This update to the Michigan Drug Strategy is being forwarded to your office for information and review pursuant to Section 1304(a)2 of the Edward Byrne Memorial State and Local Law Enforcement Formula grant program. This application requests \$16,926,000.

Should you have questions, please contact Ardith J. Da Foe, J.D., Drug Law Enforcement Grants, at (517) 373-2952.

Sincerely,
Darnell Jackson, Director
Office of Drug Control Policy

The communication was referred to the Secretary for record.

The following communication was received:

Automobile Theft Prevention Authority

January 29, 1999

As chair of the Board of Directors of the Michigan Automobile Theft Prevention Authority (ATPA), I am pleased to submit our 1998 Annual Report to the Senate. I am proud to report that Michigan is carrying on its fight against automobile theft.

This report is in accordance with provisions of Act 174 of 1992. Copies have also been delivered to Governor Engler and the Clerk of the House. Furthermore, individual reports are being mailed to all members of the legislature.

If you would like additional copies, please feel free to contact the ATPA at (517) 336-6197.

Sincerely,
Michael Robinson
Director

The communication was referred to the Secretary for record.

The Secretary announced that pursuant to rule 2.109 of the Standing Rules of the Senate, the following expense reports have been filed with the Secretary of the Senate for the quarter from July 1, 1998, through September 30, 1998, and are available in the Secretary's office during business hours for public inspection:

Committee

Appropriations
Economic Development, International Trade and Regulatory Affairs
Education
Families, Mental Health and Human Services
Farming, Agribusiness and Food Systems
Finance
Financial Services
Gaming and Casino Oversight
Government Operations
Health Policy and Senior Citizens
Human Resources, Labor and Veterans Affairs
Hunting, Fishing and Forestry
Judiciary
Local, Urban and State Affairs
Natural Resources and Environmental Affairs
Technology and Energy
Transportation and Tourism
Appropriations Subcommittee on Community Health
Appropriations Subcommittee on Corrections
Appropriations Subcommittee on Family Independence Agency
Appropriations Subcommittee on Natural Resources
and Environmental Quality
Appropriations Subcommittee on State Police and Military Affairs

Chairperson

Senator Harry Gast
Senator Bill Schuette
Senator Joanne Emmons
Senator Joel Gougeon
Senator George McManus
Senator Joanne Emmons
Senator Michael Bouchard
Senator Michael Bouchard
Senator Bill Bullard
Senator Dale Shugars
Senator Mike Rogers
Senator Dave Jaye
Senator William Van Regenmorter
Senator Leon Stille
Senator Loren Bennett
Senator Mat Dunaskiss
Senator Walter North
Senator Robert Geake
Senator Jon Cisky
Senator Robert Geake
Senator George McManus
Senator Jon Cisky

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, February 2:
House Bill Nos. 4033 4034 4035 4036 4037 4038

The Secretary announced the printing and placement in the members' files on Tuesday, February 2 of:

Senate Bill Nos.	67	160	161	162	163	164	165	166	167	168	169	170	171	172
	174	175	176	177	178	179	180	181	182	183	217			

Third Reading of Bills

Senators Van Regenmorter, Cherry, Young, Bullard, Jaye and Schwarz entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 1, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 1995 PA 194.

The question being on the passage of the bill,

Senator Dingell offered the following amendment:

1. Amend page 4, following line 9, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 113 of the 90th Legislature is enacted into law.”.

The question being on the adoption of the amendment,

Senator V. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 6

Yeas—17

Byrum	Goschka	Leland	Smith, A.
Cherry	Hart	Miller	Smith, V.
DeBeaussaert	Jaye	Murphy	Vaughn
Dingell	Koivisto	Peters	Young
Emerson			

Nays—20

Bennett	Gast	McManus	Shugars
Bullard	Gougeon	North	Sikkema
DeGrow	Hammerstrom	Rogers	Steil
Dunaskiss	Hoffman	Schuette	Stille
Emmons	McCotter	Schwarz	Van Regenmorter

Excused—0

Not Voting—0

In The Chair: President

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 7

Yeas—36

Bennett	Emmons	Leland	Schwarz
Bullard	Gast	McCotter	Shugars
Byrum	Goschka	McManus	Sikkema
Cherry	Gougeon	Miller	Smith, V.
DeBeaussaert	Hammerstrom	Murphy	Steil
DeGrow	Hart	North	Stille
Dingell	Hoffman	Peters	Van Regenmorter
Dunaskiss	Jaye	Rogers	Vaughn
Emerson	Koivisto	Schuette	Young

Nays—1

Smith, A.

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senators Schuette, Emmons, Goschka, Dingell, Peters, Cherry and Miller asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Schuette's statement is as follows:

This is an important discussion we're having, and I've enjoyed the debate back and forth. I appreciate some of the epiphany that some of my Democratic colleagues are having on the issue of taxes. In joining in this debate on tax policy, I'm pleased that they now are debating about tax decreases instead of tax increases. So that's a step in the right direction.

What we're doing today for Michigan families is really talking about an 11 percent across-the-board tax cut for families across Michigan. Remember years ago, Ronald Reagan would talk about a 10 percent tax cut across the board. We're doing that for Michigan families today—an 11 percent tax cut across the board for Michigan's families.

Now, what's so important about this tax cut is that we're giving families choices. They can make decisions on their own. Maybe for a single mom in southeastern Michigan, working hard, maybe her daughter is just getting ready to get her driver license—this tax cut helps that family. Maybe her daughter can now buy that used car so that the daughter can go to school and maybe hold down a part-time job. That's a decision that family makes. Maybe for an older couple, that tax cut means money in that family's pocket to plan for health care needs, their retirement needs, maybe it's the retirement needs of a loved one. Now for a younger couple, maybe they hope to have children someday if they're so blessed or if they have young kids now, they want to take this across-the-board tax cut and use that savings for the educational needs of their children. So every family is different. Families across Michigan making decisions on their own with tax cuts—money back in their pockets. Across-the-board tax cuts mean choices and freedom to make decisions on each family's individual needs.

What this tax cut really is about is a guy named Cliff Braley. Let me tell you a story that happened to me last evening. I was driving home, getting ready to pull into my driveway, and who do I see in front of my driveway but a guy named Cliff Braley? Cliff is the delivery man; he's a truck driver for Schwan's. Some of you might know Schwan's. They deliver ice cream and frozen foods. Now and then, we get Schwan's ice cream for our kids and other food that he brings. He's a modern-day Fuller brush man, delivering food to families. I get out of my car to go get the mail, and Cliff looks me in the eye and says, "What did you do for me today, Bill?"

I said, "Cliff, I cut your taxes."

He said, "Are you going to go all the way down to 3.9?"

And I said, "You bet we are."

And he said, "Do you think any Democrats will go along?"

I said, "I doubt it."

He said, "That figures."

Now the point here is that Cliff Braley, a guy who's married, 31, has got a daughter, another child on the way—his wife's expecting. You know, Cliff didn't ask me whether this was regressive or progressive. Is Alan Greenspan going to adjust interest rates? What's the Asian economy? He just wanted his money back. He works hard. Every day he leaves his house about 7:30 a.m., goes to Claire, stocks up this truck for his rounds that he makes every day. He gets done with making his sales calls—this guy isn't a millionaire, lives on Carpenter Street. His kids will go to Carpenter Street Elementary School. Cliff finishes up his rounds about 9 or 10, drives back to Claire, fills out his paperwork, and maybe gets back to his house on Carpenter Street in Midland, Michigan, about 11:00 p.m. Then he'll start his day, the next day, around 7:30 a.m., drive back up to Claire, fill up his truck, and do it again. This is the story about a hard-working American—someone in Michigan who just wants his money back. It's his money; he wants a tax cut. He works very hard. This Cliff Braley tax cut and this story of Cliff Braley is a story about Michigan citizens across our state—countless other families like Cliff Braley's who just want their money back. It's Cliff's money. It's his neighbor's money—not ours, not yours, not mine. It's his money. Let's give it back to Cliff Braley and families like him.

We need to pass these tax cuts—a billion dollars back in families' pockets—an across-the-board tax cut. It's what makes Michigan work. I'm so pleased Senators Emmons, Goschka, and so many others have sponsored this legislation to give Cliff Braley's money back.

Senator Emmons' statement is as follows:

This is a wonderful day for taxpayers, but it is also a very proud day for this Senate. We've had some disagreements here, but I have to compliment the members of the committee on the other side of the aisle and especially Minority Leader Cherry because they have been there when we wanted to cut some taxes, and I appreciate their cooperation.

The more people you have working for the taxpayers of the state of Michigan, I think, the better off you are, and so this is a great day. We've been in session two weeks, and we've put back and left in the pockets of people a billion dollars. We all can be very, very proud. I'm proud of this Senate. I'm proud of this action, and I think that our taxpayers will continue to thank us for recognizing that taxes were way too high in Michigan, and we have made significant progress in lowering those taxes.

As I said, there's a billion dollars over in Treasury right now waiting for a form and a taxpayer. That's what is so great about this particular tax cut. You keep it in your pocketbook. You don't send it to Lansing, and you can spend it how you want to spend it. That's freedom.

Senator Goschka's first statement is as follows:

Members of the Senate, I am very proud to be the sponsor of this bill, Senate Bill No. 1, and I really believe this is a very proud day for Michigan. I've been here for 21 of the 24 tax cuts as a voting member, but I've been the recipient of 24 tax cuts because of the leadership of John Engler.

I remember back in 1983, I was laid off. Many of you know, I come from a very strong labor background. I'm very proud to be a member of the United Steel Workers' Local 12934, and I was laid off for over a year and a half. You remember that the Legislature increased the income tax to 6.35 percent. Joblessness was on the rise. I'll tell you, it's very depressing when you don't have work, when you get up every day to try to find a job, and they slam the door in your face, and they say there's no work available.

Thankfully, that has changed since 1991. People have been finding jobs in Michigan, I believe, because of the leadership of our Governor and the tax cuts we've seen enacted in our state. Every working man and woman, every child is going to benefit from this tax cut. The great thing about it, I believe it's a job creator. Those job providers that we want to keep in Michigan and those job providers that we want to draw into Michigan are going to look at our tax rates, and they're going to see that we are, indeed, job-provider friendly. It's going to create more jobs, higher-paying jobs, and the very people who we represent all over this state will be better off for it because they will see an increase in their income and less taxes to pay to boot. I also am reminded of the fact that our Governor lead the move to increase personal exemptions last term, and he signed a bill to index it to inflation.

So today, as you vote "yes" on this bill, as I know we will, as I know we should, know this—that you and I are standing up for the people we represent, the hard-working people of the state of Michigan. They win again. That's the bottom line.

Senator Goschka's second statement is as follows:

Members of the Senate, I would turn your attention to the Gallery. I'm very proud today that we have 35 students and adults from Sherwood Elementary School in Saginaw Township. I'm particularly proud for all of you to be here on the voting of my very first bill, which is a tax cut for Michigan's working families, and I hope you'll tell Mom and Dad about it.

Senator Dingell's statement is as follows:

Mr. President, I rise in support of Senate Bill No. 1. The Senator from the 33rd Senatorial District recognizes that tax relief for working people is important. He recognized that the bill needed some improvement here on the Senate floor. He supported my amendment to tie-bar this bill to a bill by another Republican that would have, rather dramatically, improved the tax relief to working people in Michigan.

Now, during consideration of Senate Bill No. 1, I went around amongst my Republican colleagues handing most of them a roll of Lifesavers explaining to them that the bill, the way it is now, would only provide the worth of a roll of Lifesavers to a working family, in terms of tax relief. And in telling each of my Republican colleagues that working people deserve something more meaningful than that, you know what happened? The Senator from the 33rd Senatorial District voted for my amendment. I think he understands the issue and the need of working people to get real tax relief. What kind of tax relief will working people get? Not much under the bill the way it is now. It needs improvement.

The tie-bar to Senator Bennett's legislation would have rather dramatically improved that and given another Republican credit for it, not given me credit for it. What would the bill do for other persons who, frankly, aren't working people, who aren't building the future for America? Well, for \$1 million a year income family they would get about \$5,000. This doesn't sound like proportionate relief to me. I think that the benefit should go to the people who need it most.

Also, there is no argument here today that the money isn't there to pay for it. I've pointed out things that we could do to cut pork out of the budget and pay for it. There's no reason not to do this today.

We have a problem here in the state of Michigan with taking tax relief from working people in disproportionate amounts and spending tax money on people who don't need it in disproportionate amounts. My Republican colleagues like to talk a lot about 24 tax cuts, but they don't talk about the 72 fee increases and tax increases. Do you want to talk about what takes things away from people? It's the tax increases and fee increases. Who pays for all those tax and fee increases? It's not people who are well-to-do. It's John Q. Average. If you look at where the tax cuts go, such as this bill the way it is now, it goes to wealthy people. This is wrong. This is not fair. Is this a tax cut? Yes. Does it need substantial improvement? Yes. Maybe my friends in the House of Representatives can improve it to the state that it ought to be.

Senator Peters' statement is as follows:

I rise to support this bill, but I believe I need to take a moment to respond to some of the comments that I've heard from some of my colleagues across the aisle. Apparently, some of my colleagues have made the comment that Democrats have not been part of the effort to cut taxes in this state. I do appreciate the comments of the good chair of the Senate Finance Committee who did acknowledge that Democrats have played a role in cutting taxes over the last few years.

I'd like to just take a moment to look back when I first came to the Senate here in 1995 and what I've seen with Democrats and our involvement in tax cutting in the Senate.

Since 1995, Democrats in the Senate have supported tax cuts that will produce, this year alone, \$675 million in total tax savings, and of that, \$337 million will have been cut from the income tax, \$224 million has been cut from the single business tax, and \$45 million from the sales and use tax. In fact, there have been a total of 26 tax cuts since 1995, and almost all of them received support from a majority of Senate Democrats. The cuts that have received our strong support on this side of the aisle have included the creation of a college tax credit, two increases in the personal exemption, the establishment of a child exemption, an increase in the amount of interest dividends that seniors may exempt from their taxes, the 2 percent Headlee income tax refund, and the creation of both renaissance and brownfield development zones.

Generally, the only tax cuts that we've opposed are those that are targeted to the wealthiest individuals or those tax cuts that have been targeted not based on economic merit but those to large political contributors. We have always opposed those cuts that are targeted to the expense of everybody else. Although many of us are going to join and support this bill before us right now, we certainly believe that there would have been a better way to give tax relief, and that better way would have been the personal exemption.

To make this point, I would like to go back to the comment made by the gentleman from the 35th District in his opening comments in which he talked about a constituent of his, Cliff Braley. He talked about Cliff at length and what this tax cut would mean to him—a gentleman who has two young children, works long hours, gets up at 7:00 a.m., works till 11:00 p.m. Well, I hope the gentleman from the 35th District, when he sees him again, says to him, "The Democrats had a plan that would save you \$1,000 more in taxes." And I hope the gentleman from the 35th District says, "I didn't support that plan. I didn't support giving you, Cliff, an additional \$1,000 in tax relief. I didn't want to go that far." That will probably be the gentleman from the 35th District's response to Cliff, and I hope you have that comment with Cliff because Democrats are committed to people like Cliff and the millions of individuals who are in this state working those long hours, working with those two young children, trying to prepare a future for those young children, send them to college, and give them a good life, and also, we're committed to helping Cliff prepare for that retirement which is getting increasingly expensive. I would bet, if I talked to Cliff, Cliff would say that he could use that \$1,000 to benefit his family, to prepare for his retirement, and would have appreciated the opportunity to have that extra \$1,000. Unfortunately, Cliff's not going to get that opportunity. We're going to have a tax cut bill that doesn't give us that kind of relief before us.

We will support this bill, and I will support this bill if this the best the Governor can do in this state. I can count the votes. I know the majority party has the votes in this chamber and the other chamber to pass it, but I'm very disappointed we couldn't have done more for Cliff and millions of other people in the state of Michigan.

Senator Cherry's statement is as follows:

I rise to support the passage of Senate Bill No. 1 and in doing so, couldn't help but listen to comments by our colleague from the 35th District who talked about the epiphany that those of us on this side of the aisle are engaged in, and I would suggest that that's a bit revisionist in approach. In fact, I have on a previous occasion voted to set the income tax rate at 3.9 percent if certain economic conditions were to occur. Those have occurred, and it seems to me that I would like to see it be at 3.9 percent. I suspect if the good Senator from the 35th District would look back and look at a number of the tax votes that have come through this chamber, he would see that a number of members on this side of the aisle have joined him in passing a number of those cuts. So I don't see it being any great surprise that a number of people on this side of the aisle will probably vote for Senate Bill No. 1.

I, as I have said before, have voted to set the income tax rate at 3.9 percent. I guess, while this bill does that, I guess I'm a bit disappointed that what it does is do that in the future as opposed to now because, quite frankly, we're at

perhaps the height of this economic recovery, and it would seem we are best prepared to afford the cut right now. I would prefer to see it be made effective today.

Additionally, I'm a bit disappointed in that it's not accompanied by an increase in the personal exemption. Clearly, those who are a little better off than most are going to enjoy, by and large, the fruits of the cut in the tax rate. We can spread this tax cut across all of Michigan if we add to it an increase in the personal exemption. I know that my colleague, Senator Dingell, attempted to do that with an amendment. It failed. I was disappointed, but still, Mr. President, I intend to vote for the bill. I've noted that there have been a number of arguments raised on the floor today against perhaps providing a personal exemption. One is that we want to do a tax cut that puts money in your pocket now. That happens with a personal exemption increase because they adjust tax tables so the withholding is lower. I believe we can afford it. It's been argued that we cannot. At the same time, it's been argued, "Let's do it later." It's clear, Mr. President, that we can improve this bill, and I'm simply disappointed that we didn't. But still, it's clear that this bill will get us, at some point, to the 3.9 percent that the income tax rate ought to be at. On that basis, Mr. President, I intend to vote "yes" and urge my colleagues to do so as well.

Senator Miller's statement is as follows:

I've been in this body, in this chamber, in the Senate Chamber longer than any other member here, so I think I've seen my number of bills that have raised taxes and lowered taxes. And I think I have been on the side to lower taxes many, many more times than raising taxes.

But I just want to say one thing: I think this is a good bill; I think it could be a better bill. I think that we sit here and talk about how we're going to lower taxes and how we're going to help working families. But I think that we could have taken a step, one big, giant step to help all the people in Michigan. We're talking about working families, Mr. President, but we tend to forget this particular bill doesn't take in all the families of Michigan. And you know, I could be talking about some of the people in my district, and I'm going to mention some of the people, such as Gus and Doris Bianchini, who are the leaders of the biggest senior citizen group in Michigan. They happen to come from my district, from Macomb County. And you know, this bill doesn't take in enough relief for senior citizens. You take a look at what seniors have done in Michigan. They've been the backbone of this state. You know, we can look at all the special projects in this state from the Detroit River all the way up to Lake Superior. And you know, how did we get some of those projects? How did we get that great Mackinac Bridge that leads across to Senator North's district in the Upper Peninsula? We got it because of senior citizens back 30 and 40 years ago who had the bonding power to give this state the rights to go out there and sell those bonds in New York and build that bridge and make this state a better state.

They're the people, the backbone that helped these universities in this great state grow because without those seniors working in the '40s and the '50s and the '60s, this state would not have had the bonding power to make this state able to pass these capital outlay bills, to give these universities more dollars, and to build bigger and better campuses.

But this bill today, Senate Bill No. 1, is a good bill. But it doesn't touch all the people of this state. It doesn't touch the senior citizens who've been the backbone of this state because a lot of them don't pay income taxes. They don't pay income taxes because they are struggling to make ends meet on a pension that in many cases is 30 years old—doesn't even cover the cost of inflation or the cost of living. And there are tons of seniors out there. They're proud people. They're not going to tell you that in many cases they don't even have a pension. Seniors who happened to work for a motor company called Packard Motor or Hudson Motor, who went belly up in this state and didn't leave them a pension. Or they might have worked on a farm and lost their farm and don't have a pension. We need to take care of those senior citizens. At the same time, we're going to take care of the young people like Cliff who works in Senator Schuette's district. We need to take care of Gus and Doris, who are the leaders of the biggest senior citizen group in Michigan. They deserve it. They've worked hard, Mr. President, and they need some relief today. We have a great economy going, and we need to help them. I just hope that after we pass this bill today, and I'm going to be supporting this bill, but I think there was better ways and better methods to pass legislation that's going to take in all the citizens. Let's not forget those seniors.

I have two bills that are being referred today to help increase the homestead property tax credit and help increase prescription drug tax relief. Those seniors need help. Mr. President, you were part of the leadership to help pass Proposal A to give this state the opportunity to grow. We need your help, and we need bipartisan help to get those other bills to help seniors who don't have the money to buy prescription drugs and don't have the money to maintain their home style. Today is a good step for Senator Goschka; it'll be a great step when we remember the seniors, who made the foundation for this great state.

Senators Shugars, Steil, Rogers, Bennett, Sikkema, Stille, Van Regenmorter, Schuette, Gougeon, Jaye, Dunaskiss, Gast, Bullard, Hoffman, North, McCotter, McManus, Emmons, Schwarz and Hammerstrom moved that they be named co-sponsors of the following bill:

Senate Bill No. 1

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 2, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51c.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 8

Yeas—36

Bennett	Emmons	Leland	Schwarz
Bullard	Gast	McCotter	Shugars
Byrum	Goschka	McManus	Sikkema
Cherry	Gougeon	Miller	Smith, V.
DeBeaussiaert	Hammerstrom	Murphy	Steil
DeGrow	Hart	North	Stille
Dingell	Hoffman	Peters	Van Regenmorter
Dunaskiss	Jaye	Rogers	Vaughn
Emerson	Koivisto	Schuetten	Young

Nays—1

Smith, A.

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senators Shugars, Bennett, Sikkema, Schuetten, Hoffman, Stille, Bullard, Gougeon, Emmons, North, McCotter, McManus, Goschka, Jaye and Rogers moved that they be named co-sponsors of the following bill:

Senate Bill No. 2

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 3, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51d.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 9

Yeas—36

Bennett	Emmons	Leland	Schwarz
Bullard	Gast	McCotter	Shugars
Byrum	Goschka	McManus	Sikkema
Cherry	Gougeon	Miller	Smith, V.
DeBeaussiaert	Hammerstrom	Murphy	Steil
DeGrow	Hart	North	Stille
Dingell	Hoffman	Peters	Van Regenmorter
Dunaskiss	Jaye	Rogers	Vaughn
Emerson	Koivisto	Schuetten	Young

Nays—1

Smith, A.

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senators Shugars, McManus, Emmons, North, McCotter, Schuette, Gougeon, Stille, Schwarz, Rogers, Bullard, Goschka, Steil, Gast and Jaye moved that they be named co-sponsors of the following bill:

Senate Bill No. 3

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 4, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 51e.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 10

Yeas—35

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, V.
Cherry	Hammerstrom	Murphy	Steil
DeBeaussaert	Hart	North	Stille
DeGrow	Hoffman	Peters	Van Regenmorter
Dingell	Jaye	Rogers	Vaughn
Dunaskiss	Koivisto	Schuette	Young
Emmons	Leland	Schwarz	

Nays—2

Emerson

Smith, A.

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senators Shugars, Jaye, Steil, Hammerstrom, Bullard, Bennett, Sikkema, Schuette, Stille, Gougeon, Schwarz, Rogers, Hoffman, Goschka, Gast, Dunaskiss, North, McCotter, Emmons and McManus moved that they be named co-sponsors of the following bill:

Senate Bill No. 4

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 5, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51f.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 11

Yeas—35

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, V.
Cherry	Hammerstrom	Murphy	Steil
DeBeaussaert	Hart	North	Stille
DeGrow	Hoffman	Peters	Van Regenmorter
Dingell	Jaye	Rogers	Vaughn
Dunaskiss	Koivisto	Schuette	Young
Emmons	Leland	Schwarz	

Nays—2

Emerson	Smith, A.
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Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protest

Senator A. Smith, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 5.

Senator A. Smith's statement is as follows:

The tax rate cut package that just passed the chamber was somewhat akin to a very high speed train with a gleaming cow catcher on the front that was capable of removing any herds of opposition. The problem with the tax rate cut was that 10 percent of the taxpayers in the state of Michigan—and those are the top 10 percent—would receive the tenderloin, the prime rib, and the prime cuts of steak. The rest of us, the 90 percent, will get the ground hamburger, the rump roast, and the oxtail.

We had an opportunity to look at a different kind of way of cutting the tax, and that was going with the personal exemption increase. That would have benefitted the 90 percent of the taxpayers far more with the personal exemption. But what we did for the taxpayers of the state of Michigan at the end of this process was give them a \$185 tax cut—direct money to their wallets. That tax cut, however, costs us, as the chairman of the Senate Finance Committee

stated, \$1 billion. As she also stated, the \$1 billion will cost the people who benefit from programs in the state real program dollars.

The exemption that people pushed for on the Democratic side would have cost us the same. So, in all candor, I have to tell you that regardless of what form the tax cut took, I would have voted "no."

If we look at who pays on this tax cut, it's a \$1 billion loss to the general fund. The general fund of the state of Michigan is 100 percent of the support for community colleges. It's virtually 100 percent of the support for higher education and for corrections. We will make program cuts when this economy turns, and they will be the programs that are supported by the general fund.

Since the series of tax cuts began in 1991, we've watched higher education tuition increase. Despite the pledge from Michigan State, adopted by other universities, we've watched the tuition rates increase at Michigan State University by 50 percent; at the University of Michigan by 77.8 percent; at Central Michigan University by 68.5 percent; at Lake Superior State College by 85.1 percent; and at Oakland University by 80.8 percent. This is in good times. This is in times when we were contributing 3.9 percent to the growth of university budgets. But we weren't able to stem the increase. A \$2,250 tuition tax increase at the University of Michigan over the period of time when we are cutting taxes is not in any way, shape, or form going to be offset by my pocketbook savings of \$185.

Putting money back in the pockets of the taxpayers is a two-opportunity process. One is to do what we did here today, and that's put \$4 a week directly into the pockets of the taxpayers who earn an average of \$40,400. The other way is to put \$1 billion back into the taxpayers' pockets by putting additional revenue into higher education and trying desperately to hold those tuition increases down or flat; putting money into infrastructure for the public school system of the state of Michigan so that all of the students of the state of Michigan have access to high tech, so that they're wired, and have access to the Internet; so that people who have a desperate need for special social services have those resources available. But we chose to put \$4 a week into the pockets of the average taxpaying household in the state of Michigan.

I think it was a mistake. I was alone in thinking it was a mistake. But in a few years, when people are facing millages from their local districts asking for additional dollars to pay for infrastructure improvements to the schools—things that we could have done with \$1 billion, when they are asking for help with tuition payments—things that we could have worked to hold flat, let's remind them of the \$4 a week that we gave them here today.

Senators Shugars, Jaye, Gast, Dunaskiss, Bennett, Schuette, Hammerstrom, Stille, Gougeon, Schwarz, Rogers, McCotter, North, Emmons and Sikkema moved that they be named co-sponsors of the following bill:

Senate Bill No. 5

The motion prevailed.

Resolutions

The question was placed on the adoption of the following resolution consent calendar:

Senate Resolution No. 7

House Concurrent Resolution No. 7

The resolution consent calendar was adopted.

Senators Young, Vaughn, Murphy, Leland, V. Smith, DeGrow and A. Smith offered the following resolution:

Senate Resolution No. 7.

A resolution of tribute commemorating the retirement of Arthur M. Carter from the Detroit Public Schools.

Whereas, It is a pleasure and a privilege to commend Arthur M. Carter upon the occasion of his retirement from the field of education. An outstanding member of the Detroit Public Schools, Dr. Carter is bringing to a close an exemplary career as a teacher and administrator in our state's educational system. This is an appropriate time for us to let him know of our deep appreciation for his efforts on behalf of the young people of this state. He is most deserving of our deepest appreciation for his long-standing commitment and exemplary achievements; and

Whereas, Born and raised in Detroit, Dr. Carter attended Capron, Nichols and Eastern High School. He earned his bachelor of arts in special education, his master's in guidance and counseling, and his doctorate in educational psychology—all from Wayne State University. He began his professional career in the Detroit Public Schools, working as a special education teacher at Lillibridge Elementary School. As a staff member of Wayne County Community College for 17 years, Dr. Carter served as an instructor of psychology, a counselor, the Dean of Students and Career Development, and a campus dean. In August of 1989, Dr. Carter was appointed Deputy Superintendent of the Detroit Public Schools, a post he would hold until his retirement; and

Whereas, His concern and love for young people were evident in his efforts which always were above and beyond the call of duty. From his leadership in promoting funding programs for at-risk young people, while serving as a Wayne County Commissioner, to his initiative for an adult education school of the future, where adult learners are given marketable skills to ensure employment options, Dr. Carter worked hard to ensure that our young people had hope for a bright and promising future; and

Whereas, Dr. Carter is the author and producer of a host of publications and productions. He serves as a member on several boards and is actively involved with many civic and community organizations. He has received numerous awards for his work. He currently produces and hosts a weekly talk show on cable television in Detroit and has served as co-host of a radio talk show, "The Morning Discussion," on radio station WQBH in Detroit; now, therefore, be it

Resolved by the Senate, That this document is signed and dedicated to honor and commend Arthur M. Carter upon the occasion of his retirement. May he know of our admiration and best wishes for a happy and healthy retirement; and be it further

Resolved, That a copy of this resolution be transmitted to Arthur M. Carter as evidence of our esteem.

House Concurrent Resolution No. 7.

A concurrent resolution prescribing the Joint Rules of the House of Representatives and the Senate.

Resolved by the House of Representatives (the Senate concurring), That the following be and are hereby adopted as the Joint Rules of the House of Representatives and the Senate:

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES

Transmission of Papers.

Rule 1. All messages necessary for conducting legislative business between the two Houses shall be communicated by the Secretary of the Senate and the Clerk of the House of Representatives.

Amendments.

Rule 2. It shall be in the power of either House to amend an amendment made by the other to any bill or resolution.

Conferences.

Rule 3. (a) The House not concurring in the amendments of the other House shall appoint conferees and notify the amending House of its action. The amending House shall request return of the bill or appoint conferees. Upon appointment of conferees by both Houses, the bill shall be referred to the conference committee. The conference committee shall consist of three members from each House, to be appointed as each House may determine. The first named member of the House in which the bill originated shall be chairperson of the conference committee.

(b) The conference committees of the two Houses shall vote separately while in conference, the majority of each committee to determine the attitude to be taken toward the propositions of the conference committee. If the conferees agree, they shall make a report which shall be signed by at least a majority of the conferees of each House. The official bill, including the original signed conference report, and three copies of the report shall be filed in the House of origin where the question shall be on the adoption of the conference report. If the conference report is adopted, the official bill, including the original signed conference report, and two copies of the conference report shall be transmitted to the other House where the question shall be on the adoption of the conference report. If the conference report is adopted in the other House, the bill and the original signed copy of the conference report shall be returned to the House of origin and referred for enrollment printing and presentation to the Governor.

Clerk of Conference.

Rule 4. The conference clerk shall be the committee clerk from the House of origin, who shall immediately inform the Secretary of the Senate and the Clerk of the House of all scheduled meetings for public posting. Conference committees on appropriation bills may use fiscal agency personnel for clerks.

Conference Report: Rejection.

Rule 5. If the conference report is rejected by the House of origin, it shall appoint conferees and notify the other House of its action. The procedure shall then be the same as for an original conference.

If the conference report is rejected by the other House, it shall appoint conferees, notify the House of origin of its action and transmit the official bill to the House of origin. Upon receipt of the bill, the House of origin shall appoint conferees and refer the bill to the second conference committee. The procedure shall then be the same as for an original conference.

Disagreement of Conferees.

Rule 6. If the conferees are unable to agree, they shall report that fact to both Houses and the bill shall accompany the report to the House of origin. Both Houses shall appoint conferees and the House of origin shall refer the bill to the second conference committee. The procedure shall then be the same as for an original conference.

Second Conference: Failure.

Rule 7. When a second conference committee fails to reach agreement, or when a second conference report is rejected by either House, no further conference is in order.

Power of Conferees.

Rule 8. The conference committee shall not consider any matters other than the matters of difference between the two Houses. For all bills making appropriations, adoption of a substitute by either House shall not open identical provisions contained in the other House passed version of the bill as a matter of difference; nor shall the adoption of a substitute by either House open provisions not contained in either House version of the bill as a matter of difference. When the conferees arrive at an agreement on the matters of difference that affects other parts of the bill, the conferees may recommend amendments to conform with the agreement. The conferees may also recommend amendments to the other parts of the bill which will be limited to necessary date revisions, adjusting totals, cross references, misspelling and punctuation correction, conflict amendments for bills enacted into law, additional anticipated federal or other flow through funding, and corrections to any errors in the bill or the title.

Adoption of Conference Report.

Rule 9. Conference reports shall not be subject to amendments or division. The vote on conference reports shall be taken by “yeas” and “nays” and shall require the same number of votes constitutionally required for passage of the bill. Conference reports shall not be considered until printed in the Journal. The Journal printing requirement may be suspended by a majority vote in either House, provided that a printed copy of the conference report has been placed on each member’s desk.

Points of Order.

Rule 10. Points of order regarding conference reports shall be decided by the presiding officer, subject to an appeal, which appeal shall be determined by a majority vote. The ruling out of a conference report is a rejection of the report. Either House may refer the conference report back to the conference committee with instructions to eliminate from the report such matters as have been declared not within the powers of the conferees to consider.

Either House May Recede.

Rule 11. At any time while in possession of the bill, either House may recede from its position in whole or in part and the bill may be returned to the other House for that purpose; and if this further action is agreed to by both Houses, the bill shall be referred for enrollment printing and presentation to the Governor.

Correction of Errors.

Rule 12. If errors are found in a bill which has been passed by both Houses, the House in which the bill originated may make amendments to correct the errors and shall notify the other House of its action. If the corrective amendments are agreed to by the other House, the corrected bill shall be referred for enrollment printing and presentation to the Governor.

Bills and Joint Resolutions.

Rule 13. The same joint resolution shall not propose an amendment to the Constitution on more than one subject matter, but more than one section of the Constitution may be included in the same joint resolution, if the subject matter of each section is germane to the proposed amendment. No bill shall include upon introduction, catch lines, a severing clause, or a general repealing clause, as distinguished from a specific or an express repealing clause, and the Secretary of the Senate and the Clerk of the House of Representatives shall delete such catch lines and clauses from all bills.

Yeas and Nays.

Rule 14. The yeas and nays shall be taken and entered upon the Journal of the House taking action upon the passage of any bill, joint resolution, conference report and amendments made by the other House to a bill or joint resolution.

No Members Present.

Rule 15. In the event the presiding officer and all members are absent on a day scheduled for meeting, then the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall call that House to order at the designated time, announce the absence of a quorum and declare that House adjourned until the succeeding legislative day and hour previously designated.

In any event where either or both Houses of the Legislature adjourns to a date certain for more than two days, a committee composed of the Majority Leader of the Senate and the Speaker of the House of Representatives may by a unanimous vote of that committee convene either or both Houses of the Legislature at any time in case of emergency.

If a gubernatorial appointment that is subject to the advice and consent process is made at a time such that 60 days would lapse during an extended recess of the Senate, the Senate Majority Leader may schedule a session of the Senate for the sole purpose of carrying out the Senate’s constitutional duties to advise and consent on gubernatorial appointments. No other action shall be taken by the Senate during session convened under this provision. The Senate Majority Leader shall notify the Secretary of the Senate at least 10 calendar days prior to the date of the scheduled session, and the Secretary of the Senate shall take all reasonable steps to notify the members of the Senate of the scheduled session.

Passage and Enrollment Printing of Bills.

Rule 16. Every bill which has passed both Houses and returned to the House of origin shall forthwith be enrolled and presented to the Governor unless the House having last passed the bill requests its return and such request be granted, or unless a motion is made in the House of origin to amend errors in the bill or to give the bill immediate effect.

Every bill, joint resolution and concurrent resolution which is passed by either House shall forthwith be transmitted to the other House unless notice is given from the floor or written notice is filed with the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, that a motion to reconsider will be made on the next succeeding legislative day, in which case the bill, joint resolution and concurrent resolution shall remain in that House until after adjournment the next succeeding legislative day, when, if no motion is made in accordance with such notice, the bill, joint resolution and concurrent resolution shall immediately be transmitted. The notice of intention to move a reconsideration shall be printed on the daily calendar.

Immediate Effect.

Rule 17. Whenever both Houses, by the constitutional vote, direct that any bill shall take effect immediately, a statement shall be added thereto at the enrollment of the bill in words to this effect: "This act is ordered to take immediate effect."

Joint Resolutions.

Rule 18. Joint resolutions shall be used for the following purposes:

1. Amendments to the Constitution of Michigan.
2. Ratification of amendments to the Constitution of the United States submitted by the Congress.
3. Matters upon which power is solely vested in the Legislatures of the several states by the Constitution of the United States.

Joint resolutions proposing amendments to the Constitution of Michigan shall require a 2/3 vote of the members serving in each House for adoption; other joint resolutions may be adopted by a majority of the members serving in each House. All joint resolutions shall require a record roll call vote.

Enrollment of Bill Passed Over Veto.

Rule 19. Whenever a bill has passed both Houses of the Legislature, notwithstanding the objections of the Governor, or not filed by the Governor within the constitutional time limit, or whenever a joint resolution proposing an amendment to the Constitution shall have been passed by both Houses in the manner prescribed by the Constitution, such bill or joint resolution shall be signed by the Secretary of the Senate and the Clerk of the House of Representatives who shall each attach a certificate to such enrolled copy, to the effect that the bill or joint resolution has been passed by the Senate and House, respectively, in accordance with the provisions of the Constitution, and shall forthwith file the bill or joint resolution in the office of the Secretary of State.

Section Numbers of Compiled Laws - Amendments.

Rule 20. The title of every bill to amend or repeal existing laws shall be clear and explicit so as to definitely fix what is proposed to be done. Such title shall refer to the act number and the year in which it was passed, and if passed at an extra session of the Legislature, shall designate what extra session.

Such title shall contain the last title of the act it is proposed to amend, except in all cases where by legislative enactment an act has been given a short title (e.g., This act shall be known and may be cited as "The judicature act of 1915,") the short title shall be used. It shall also contain the chapter and part numbers and the compiler's section numbers, if any, and the year of the compilation containing the same.

Following the passage of a bill with a short title in the House other than the House of origin, the title shall there be amended by striking out the short title and inserting in lieu thereof the last full title of the act it is proposed to amend or repeal, together with such other corrective amendments to the title as may be necessary, which amended title shall thereafter be agreed to by the House in which the bill originated.

When a bill to amend an existing law is printed, words proposed to be added to such law shall be printed in upper case (capital) type; the words to be omitted shall be printed in stricken-through type.

All bills introduced, substitute bills and conference committee reports shall be approved as to form and section numbers by the Legislative Service Bureau.

Tie-bars.

Rule 21. A bill that is tie-barred to a request number will not be considered for passage unless that tie-barred request item has been introduced. No bill shall be passed by either House which has a blank space which has not been filled in.

Elections in Joint Convention.

Rule 22. Whenever there shall be an election of any officer in joint convention, the result shall be certified by the President of the Senate and the Speaker of the House of Representatives; shall be announced by the presiding officers to their respective Houses; shall be entered on the Journal of each; and shall be communicated to the Governor by the Secretary of the Senate and the Clerk of the House of Representatives.

Legislative Handbook.

Rule 23. As soon as possible after the announcement of initial appointment of the standing committee members of the two Houses, is printed in their respective Journals, the Secretary of the Senate and the Clerk of the House of Representatives shall prepare and have printed a legislative handbook containing such information as the Secretary of the Senate and Clerk of the House of Representatives deem advisable.

Mileage and Compensation.

Rule 24. Warrants for members, officers and employees of the Legislature shall be delivered to the Secretary of the Senate or Clerk of the House of Representatives who shall transmit same to the payees named therein.

If for any reason the office of a member of the Legislature becomes vacant, and a successor to such member shall be elected and shall qualify for the office, the compensation of such successor in office shall be paid to him or her from the date of his or her qualification.

Committee Expenses.

Rule 25. No committee created by concurrent resolution shall incur expenses in excess of \$1,000.00 unless authorized in the resolution creating such committee.

Final Adjournment of Regular Sessions.

Rule 26. In the regular session in each year, this rule for adjournment shall govern.

The Majority Floor Leader of the Senate and/or the Majority Floor Leader of the House of Representatives shall introduce a concurrent resolution providing for an adjournment schedule for the Legislature for that regular session.

Daily Adjournment.

Rule 27. Neither House shall remain in session on any legislative day beyond the hour of 12:00 midnight. It shall be the duty of the presiding officer of either body, if either House be in session at the hour of 12:00 midnight, to declare that House adjourned until the fixed hour for meeting on the next legislative day, whereupon said House shall stand adjourned.

Pending Business.

Rule 28. Any business, bill or joint resolution which has not been defeated by either the Senate or House of Representatives shall be deemed pending under the provisions of Article 4, Section 13 of the Constitution.

It shall not be in order for either House, by suspension of rules or any other means, to reconsider in a subsequent year the vote by which any business, bill, joint resolution or veto override was defeated in a previous year.

The House of Representatives has adopted the concurrent resolution.

Introduction and Referral of Bills

Senators North, Koivisto, Gougeon and Young introduced

Senate Bill No. 230, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61503b.

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senators Hammerstrom, Young, Shugars and Bullard introduced

Senate Bill No. 231, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 302 and 402 (MCL 37.2302 and 37.2402), section 402 as amended by 1993 PA 216.

The bill was read a first and second time by title and referred to the Committee on Education.

Senator Hammerstrom introduced

Senate Bill No. 232, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 253 (MCL 560.253).

The bill was read a first and second time by title and referred to the Committee on Transportation and Tourism.

Senator Hammerstrom introduced

Senate Bill No. 233, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16346 and part 183A.

The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senator Young introduced

Senate Bill No. 234, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 510a.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senators Dingell and Cherry introduced

Senate Bill No. 235, entitled

A bill to prohibit the state or a political subdivision of the state from imposing a substantial burden on a person's exercise of religion unless the state or political subdivision of the state demonstrates a compelling governmental interest in imposing that burden; and to provide a claim or defense to persons whose exercise of religion is substantially burdened by the state or a political subdivision of the state.

The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senators North and Koivisto introduced

Senate Bill No. 236, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 1996 PA 320.

The bill was read a first and second time by title and referred to the Committee on Transportation and Tourism.

Senators Miller, Byrum, Cherry, V. Smith, DeBeaussaert, Hart, Young, Bennett, Shugars and Dingell introduced

Senate Bill No. 237, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 273 (MCL 206.273), as added by 1988 PA 516.

The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Miller, Byrum, Cherry, V. Smith, DeBeaussaert, Hart, Young, Bennett, Shugars and Dingell introduced

Senate Bill No. 238, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 520 and 522 (MCL 206.520 and 206.522), section 520 as amended by 1995 PA 245 and section 522 as amended by 1996 PA 484.

The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Shugars and Gougeon introduced

Senate Bill No. 239, entitled

A bill to provide certain advisories regarding the content of certain music performances; to regulate the operation of certain music venues; and to prescribe penalties.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators Shugars, Steil, Gougeon, Hoffman, Goschka, Dunaskiss and Jaye introduced

Senate Bill No. 240, entitled

A bill to permit the establishment and maintenance of long-term care insurance savings accounts; to provide for certain tax deductions; to prescribe the requirements of and restrictions on long-term care insurance savings accounts; and to provide penalties and remedies.

The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators Shugars, Steil, Gougeon, Hoffman, Goschka, Dunaskiss and Jaye introduced

Senate Bill No. 241, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86; and to repeal acts and parts of acts.

The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators North, Koivisto, Gougeon and Young introduced

Senate Bill No. 242, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61503c.

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senators North, Koivisto, Gougeon and Young introduced

Senate Bill No. 243, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 61513 (MCL 324.61513), as added by 1995 PA 57.

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senators Stille, Gougeon, Rogers, Bennett, Hammerstrom and Goschka introduced

Senate Bill No. 244, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 1998 PA 330.

The bill was read a first and second time by title and referred to the Committee on Transportation and Tourism.

Senators Stille, Gougeon, Rogers, Bennett, Hammerstrom and Goschka introduced

Senate Bill No. 245, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 217 (MCL 257.217), as amended by 1998 PA 247.

The bill was read a first and second time by title and referred to the Committee on Transportation and Tourism.

Senators Shugars, Steil, Gougeon and Goschka introduced

Senate Bill No. 246, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 904.

The bill was read a first and second time by title and referred to the Committee on Education.

Senators Shugars, Steil, Gougeon, Hoffman, Goschka, Dunaskiss, Dingell and Jaye introduced

Senate Bill No. 247, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2 (MCL 205.92), as amended by 1998 PA 366, and by adding sections 8 and 8a.

The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Shugars, Steil, Gougeon, Hoffman, Goschka, Dunaskiss, Dingell and Jaye introduced

Senate Bill No. 248, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 1, 7, and 7a (MCL 205.51, 205.57, and 205.57a), section 1 as amended by 1998 PA 451 and sections 7 and 7a as added by 1984 PA 32.

The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Byrum introduced

Senate Bill No. 249, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 21052b and 21052c.

The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senator Byrum introduced

Senate Bill No. 250, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding sections 402c and 501c.

The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senator Byrum introduced

Senate Bill No. 251, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending the title and sections 102, 103, 202, 203, 204, 205, 206, 207, 209, 302, 302a, 402, 502, 504, 505, and 506 (MCL 37.2102, 37.2103, 37.2202, 37.2203, 37.2204, 37.2205, 37.2206, 37.2207, 37.2209, 37.2302, 37.2302a, 37.2402, 37.2502, 37.2504, 37.2505, and 37.2506),

the title as amended by 1992 PA 258, sections 102, 103, 502, 504, 505, and 506 as amended by 1992 PA 124, section 202 as amended by 1991 PA 11, section 302a as added by 1992 PA 70, and section 402 as amended by 1993 PA 216.

The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senator Byrum introduced

Senate Bill No. 252, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding sections 3407b and 3407c.

The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators Byrum, North, A. Smith, Peters and Young introduced

Senate Bill No. 253, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 1012.

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senators Byrum, Young, Gougeon and Goschka introduced

Senate Bill No. 254, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43534 (MCL 324.43534), as added by 1995 PA 57.

The bill was read a first and second time by title and referred to the Committee on Hunting, Fishing and Forestry.

Senator Young introduced

Senate Bill No. 255, entitled

A bill to create the Michigan job training corps; to prescribe the powers and duties of a certain department; and to establish a fund and provide for the administration of that fund; and to make an appropriation.

The bill was read a first and second time by title and referred to the Committee on Human Resources, Labor, Senior Citizens and Veterans Affairs.

Senator Young introduced

Senate Bill No. 256, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 803q.

The bill was read a first and second time by title and referred to the Committee on Transportation and Tourism.

Senator Bullard introduced

Senate Bill No. 257, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8123 (MCL 600.8123), as amended by 1990 PA 54.

The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senator Bullard introduced

Senate Bill No. 258, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8123 (MCL 600.8123), as amended by 1990 PA 54.

The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Gast, Steil, North, McManus, Gougeon, Stille, Hoffman, Goschka, Bennett, Schwarz, A. Smith, Vaughn, Koivisto, Emerson, Peters and Young introduced

Senate Bill No. 259, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 113, 115, 131, 203, 204, 205, 217, 219, 221, 237, 241, 242, 246, 248, 251, 267, 303, 305, 342, 344, 350, 350a, 350e, 352, 353, 353e, 354, 355, 356, 363, 367, 367b, 367f, 371, 372, 384, 386, 393, 396, 404, 434, 443, 451, 454, 461, 462, 484, 485, 486, 492,

and 493 (MCL 18.1113, 18.1115, 18.1131, 18.1203, 18.1204, 18.1205, 18.1217, 18.1219, 18.1221, 18.1237, 18.1241, 18.1242, 18.1246, 18.1248, 18.1251, 18.1267, 18.1303, 18.1305, 18.1342, 18.1344, 18.1350, 18.1350a, 18.1350e, 18.1352, 18.1353, 18.1353e, 18.1354, 18.1355, 18.1356, 18.1363, 18.1367, 18.1367b, 18.1367f, 18.1371, 18.1372, 18.1384, 18.1386, 18.1393, 18.1396, 18.1404, 18.1434, 18.1443, 18.1451, 18.1454, 18.1461, 18.1462, 18.1484, 18.1485, 18.1486, 18.1492, and 18.1493), section 113 as amended by 1987 PA 122, sections 115, 203, 205, 217, 221, 246, 342, 350, 367, 371, 372, 384, 386, 393, and 451 as amended and sections 204, 350a, 350e, 396, and 454 as added by 1988 PA 504, sections 219, 352, and 355 as amended and sections 367b and 367f as added by 1991 PA 72, section 353 as amended by 1994 PA 107, section 353e as added by 1997 PA 144, section 354 as amended by 1995 PA 286, section 363 as amended by 1993 PA 2, section 461 as amended by 1986 PA 251, and sections 484, 485, and 486 as added by 1986 PA 272, and by adding sections 237a, 281a, 430, and 451a; and to repeal acts and parts of acts.

The bill was read a first and second time by title.

Senator Rogers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4033, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51c.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Finance.

House Bill No. 4034, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51b.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Finance.

House Bill No. 4035, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 1995 PA 194.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Finance.

House Bill No. 4036, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51d.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Finance.

House Bill No. 4037, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51e.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Finance.

House Bill No. 4038, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51f.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Finance.

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submits the following:

Meeting held on Tuesday, February 2, 1999, at 1:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Dunaskiss (C), Sikkema, Schuette, Rogers, Byrum, Leland and Dingell

Scheduled Meetings

Appropriations Committee, Joint Senate and House - Thursday, February 11, at 11:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Consumer and Industry Services Appropriations Subcommittee - Tuesdays, February 16, February 23 and March 2, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-1801).

Families, Mental Health and Human Services Committee - Thursday, February 4, at 1:00 p.m., Room 100, Farnum Building (3-3543).

Finance Committee - Tuesday, February 9, at 1:00 p.m., 8th Floor Conference Room, Farnum Building (3-3760).

Financial Services Committee - Wednesday, February 10, at 2:00 p.m., 8th Floor Conference Room, Farnum Building (3-3760).

Senator Rogers moved that the Senate adjourn.
The motion prevailed, the time being 11:45 a.m.

The President, Lieutenant Governor Posthumus, declared the Senate adjourned until Thursday, February 4, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

